

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANTHONY J. CHAPPELL,

Defendant.

Case No. 16-CR-133-1-JPS

ORDER

On August 23, 2016, the grand jury returned an indictment against Defendant. (Docket #1). Count One charges Defendant with robbery, in violation of 18 U.S.C. § 1951(a). Count Two charges Defendant with use of a firearm during a crime of violence, in violation of 18 U.S.C. § 924(c)(1)(A)(ii). Finally, Count Three charges Defendant with possession of a firearm by a felon, in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2). On October 31, 2016, the parties filed a plea agreement indicating that Defendant agreed to plead guilty to Counts One and Two of the Indictment. (Docket #24 at 1–2).

The parties appeared before Magistrate Judge William E. Duffin on November 22, 2016, to conduct a plea colloquy pursuant to Federal Rule of Criminal Procedure 11. (Docket #32). The defendant entered a plea of guilty as to Counts One and Two of the Indictment. *Id.* After cautioning and examining the defendant under oath concerning each of the subjects mentioned in Rule 11, Magistrate Duffin determined that the guilty plea was knowing and voluntary, and that the offense charged was supported by an independent factual basis containing each of the essential elements of the offense. (Docket #32 and #33).

Thereafter, Magistrate Duffin filed a Report and Recommendation with this Court, recommending that: (1) the defendant's plea of guilty be accepted; (2) that a presentence investigation report be prepared; and (3) that the defendant be adjudicated guilty and have a sentence imposed accordingly. (Docket #33). Pursuant to General L. R. 72(c) (E.D. Wis.), 28 U.S.C. § 636(b)(1)(B), and Federal Rules of Criminal Procedure 59(b) or 72(b) if applicable, the parties were advised that written objections to that recommendation, or any part thereof, could be filed within fourteen days of the date of service of the recommendation.

To date, no party has filed such an objection.

The Court has considered Magistrate Duffin's recommendation and, having received no objection thereto, will adopt it.

Accordingly,

IT IS ORDERED that Magistrate Judge William E. Duffin's report and recommendation (Docket #33) be and the same is hereby **ADOPTED**.

Dated at Milwaukee, Wisconsin, this 7th day of December, 2016.

BY THE COURT:



J.P. Stadtmueller
U.S. District Judge